

PO Box 421, Irvine, KY 40336 (606) 723-2450 EstillCountyKY.net

December 22, 2016

Barbara Alfano EPA Region 4 Atlanta Federal Center 61 Forsyth Street, S.W. 10 FL Atlanta, GA 30303-8960

Regarding: Application for US EPA Brownfields Cleanup Grant for the Mack Theater Building Site

Dear Ms. Alfano,

Estill County 21st Century, Inc. dba Estill Development Alliance/River City Players (Estill Development Alliance) is pleased to submit this proposal for U.S. Environmental Protection Agency (EPA) Brownfields Cleanup Grant funding for the Mack Theater located in Irvine, Estill County, Kentucky. Upon opening its doors in 1939, the alluring Mack Theater marquee welcomed you into Irvine's downtown Main Street corridor after crossing the Kentucky River and filled the community with excitement for the performing arts. Opened as a 400-seat movie theater, it was the community's social nucleus until its doors closed in 1993. Moving forward, our community envisions the Mack Theater as a community and arts sanctuary. To that end, "Save the Mack" is a campaign realized by the River City Players (RCP) in 2013 after many years of the local residents hungering for a place to connect as a community again. With an initial price tag of \$150,000, the RCP earned their first \$116 towards the purchase of the property through a holiday open house event. Since then, there have been numerous fund raisers, theater workshops, and community plays. The soul of what will be the "new" Mack Theater is already reborn and the heartbeat is loud and clear. With the hard work of the RCP, assistance from the Kentucky Department of Environmental Protection (KDEP) and EPA, and the graciousness of the former owner, Mr. Ralph McClanahan, the property was purchased for \$50,000 in August 2016. However, remediation of the environmental hazards associated with the building, including asbestos-containing materials and lead-based paint, are the next obstacle for the RCP to overcome. This cleanup grant is the catalyst the community needs to demonstrate their efforts have and will continue to pay off, by allowing the Estill Development Alliance to address the building's environmental hazards and move forward with restoring this space as the inspiring welcome sign into the downtown corridor of Irvine, Kentucky that it once was.

a. Application Identification

Estill County  $21^{st}$  Century, Inc. dba Estill Development Alliance/River City Players P.O. Box 421, 177 Broadway

Irvine, KY 40336

DUNS Number: 963564179

b. Funding Request: i. Type: Cleanup

ii. Amount: \$200,000 with NO waiver of cost share

iii. Contamination: Hazardous Materials

c. Location: Downtown corridor of the City of Irvine, Estill County, Kentucky

d. Property: 0.12-acre tract of land occupied by an approximately 5,075-square-foot building, which occupies the entire property located at 114 Main Street, Irvine, Estill County, Kentucky

e. Contacts: i) Project Director: Wayne Linscott

Chairman of Estill County 21<sup>st</sup>, Inc. dba Estill Development Alliance/River City Players

P O Box 421, 177 Broadway Irvine, Kentucky 40336 Phone: 606-723-2450

wayne.linscott@whitehouseclinics.com

ii) Chief Executive: Joseph Crawford

Estill County 21st Century, Inc. dba

Estill Development Alliance/River City Players

**Executive Director** 

P O Box 421, 177 Broadway Irvine, Kentucky 40336 Phone: 606-723-2450

JCrawford@estillcountvky.net

f. Population: i) Estill County, Kentucky – 14,733 source: <a href="http://www.census.gov/">http://www.census.gov/</a>

ii) Estill County, Kentucky – Irvine Census County Division (CCD) – 5,504 source: <a href="http://www.census.gov/">http://www.census.gov/</a>

iii) Estill County, Kentucky – Experienced persistent poverty for the past 30 years

U.S. Census Bureau - <a href="http://www.census.gov/">http://www.census.gov/</a> and

Appalachian Regional Commission - <a href="https://www.arc.gov/reports/socio">https://www.arc.gov/reports/socio</a> report.asp

g. Other Factors Checklist: Attachedh. Letter from the State: Attached

Sincerely,

Joseph Crawford Executive Director

#### 1. Community Need

#### 1.a. Target Community and Brownfields

#### Community and Target Area Description

The community of Irvine, Kentucky, located in Estill County, is nestled along a portion of the Kentucky River, in the foothills of the Appalachian Mountains, where the mountains kiss the bluegrass. Estill County is a small community with just under 15,000 residents and is located about 50 miles southeast of Lexington, Kentucky. The City of Irvine, which is the county seat, has a population of about 2,700 people. The Appalachian Regional Commission (ARC) classifies Estill County as distressed, meaning our economic status is below the averages for the region and the country. The Mack Theatre, a community-backed redevelopment project, will have a transformative impact on a county whose history is steeped in coal, but whose future lies in the creative spirit and vision of the people looking for a new direction.

The mineral wealth of the region played an important role in the development of the county. Estill County was a major producer of coal and served as a major hub for coal transportation in the region. From the late 1970s to the present, the coal downturn has had a major economic impact on Estill County. Many jobs have been lost and the economy has not rebounded. In addition to the jobs lost directly from the coal industry, in the last couple of years, jobs and businesses that indirectly rely on coal money have taken a hit as well. A third-generation family-run furniture manufacturer closed its doors in Estill County, resulting in additional unemployment. Many small businesses like restaurants and other service sector jobs have also been impacted.

The Mack Theater is located at 114 Main Street in a commercial area of Irvine, Estill County, Kentucky. The property encompasses an approximately 0.12-acre tract of land with an approximately 5,075-square-foot ( $ft^2$ ) building, which occupies the entire property.

The River City Players (RCP), one of the four operating divisions of the Estill County 21st Century, Inc. dba Estill Development Alliance/River City Players (Estill Development Alliance), was established in 2013 to promote all facets of arts (especially performing arts) to the citizens of Estill and its surrounding counties. Since the inception of the RCP, our goal has been to purchase the Mack Theater building to be used as a community theater, a welcome center, location for local artisans to display and sell art, and a venue for community events. Saving and redeveloping this historically significant building in Irvine will be beneficial to the citizens of Estill County from a community and economic standpoint. The Mack Theater façade dominates Main Street as you cross the Kentucky River Bridge. The theater's location is ideal to attract independent film festivals, artists seeking smaller venues, and corporations looking for a unique venue in which to host conferences and workshops. Additionally, Irvine is a short commute from Eastern Kentucky University, Morehead State University, the University of Kentucky, and many other smaller institutions providing attractions for students in communications, music, film, and performing arts. There is an enormous potential for Estill County and its surrounding counties to earn tourism dollars.

#### Demographic Information and Indicators of Need

In 2010, the U.S. Census Bureau reported the population of Estill County as 14,733. In 2015, the population was reported at 14,476, which is a 2% drop in population. This decrease is evidence of the high unemployment rate and lack of disposable income within the county. The U.S. Census Bureau reported the median income for Estill County in 2015 as \$29,770, compared to \$43,740 for Kentucky and \$53,482, for the nation. The 2015 Census data indicated that 29.3% of the population in Estill County lived in poverty, which is about 55% more than the

poverty rate for Kentucky (18.9%) and almost double the nation (15.5%). As presented in the table below, it is evident that Estill County and Irvine, where the Mack Theater is located, continues to be plagued by high unemployment rates and poverty. Over the last few decades, most Estill County residents travel outside the county for employment, entertainment, and basic needs. The mean travel time to work for persons over the age of 16 is 33.6 minutes compared to 25.7 minutes nationally. Although a family-owned and operated business, the Mack Theater employed a full time projectionist and part time employees, usually high school or college students. Loss of home-earned income helped to speed the loss of spending disposable income at home.

Residents of Estill County now spend their recreational dollars in Madison, Clark, and Fayette Counties. While out of the county, they also spend their disposable income on essential items such as food, clothing, and household products. The county loses tax revenue when jobs are lost.

Category	Target Area (Estill County)	Kentucky	National
Population	14,733 <sup>1</sup>	4,397,353 <sup>2</sup>	316,515,021 <sup>2</sup>
Unemployment Rate	6.2% <sup>3</sup>	5.4% <sup>3</sup>	5.3% <sup>3</sup>
Poverty Rate	29.3% <sup>4</sup>	18.9% <sup>5</sup>	15.5% <sup>5</sup>
Median Household Income	\$29,770 <sup>1</sup>	\$43,740 <sup>2</sup>	\$53,482 <sup>2</sup>

<sup>&</sup>lt;sup>1</sup>2011-2015 American Community Survey 5-Year Estimates, Demographic and Housing Estimates, Estill County

Population, poverty rate, and median household income obtained from the U.S. Census Bureau American Factfinder at: <a href="https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=thttps://factfinder.census.

<sup>3</sup>Kentucky Cabinet for Economic Development

Unemployment rate obtained from the Kentucky Cabinet for Economic Development at:

http://www.thinkkentucky.com/cmnty/workforce.aspx?cw=066

#### **Brownfields and Their Impacts**

The Mack Theater is located at 114 Main Street in the Irvine Historic District. Because the Mack Theater operated beginning in 1939, lead-based paint (LBP) and asbestos-containing materials (ACM) are major concerns. The Phase II environmental site assessment (ESA) conducted at the Mack Theater documented these health hazards on the interior, as well as the exterior of the building. In addition to the Mack Theater, there are six empty store fronts and four empty buildings on Irvine's Main Street corridor, all of which are within the Irvine Historic District. The three story River View Hotel, built in the 1800s, sits directly across the street from the Mack Theater. The theater sits directly adjacent to residential property and residents can literally see the Mack from their porch. In addition, residents who live in the immediate vicinity may become exposed to hazards on the exterior of these buildings, without even going inside. These empty storefronts and vacant buildings, as well as other blighted properties within the downtown Irvine area, are properties that are in dire need of funding for renovation and redevelopment. Because of the historic location of these properties, redevelopment can be quite challenging and costly, which is why these properties, invaluable to the area's identity, remain vacant. A review of state and federal regulatory databases during the Phase I ESA identified 14 facilities, including underground storage tank (UST) sites, historical gas stations, and historical dry cleaners, among others, within 0.5 mile of Mack Theater that may pose recognized environmental conditions (RECs). As such, an EPA grant to clean up the Mack Theater is expected to be a catalyst for cleanup activities at other blighted properties in Irvine and Estill County.

 $<sup>{}^2 2011\</sup>text{-}2015\,American\,Community\,Survey\,5\text{-}Year\,Estimates,\,Demographic\,and\,Housing\,Estimates,\,Kentucky\,and\,National}$ 

<sup>&</sup>lt;sup>4</sup>2011-2015 American Community Survey 5-Year Estimates, Selected Economic Characteristics, Estill County

<sup>&</sup>lt;sup>5</sup>2011-2015 American Community Survey 5-Year Estimates, Selected Economic Characteristics, Kentucky and National

As mentioned before, the community and county derived most of its prosperity from coal and the electricity it helped provide to a growing nation, hungry for development. This was the trend until the 1970s. Because of its location, coal transportation became the local specialty. The downturn of the coal industry has led to several unused coal-related properties, including an unused railyard next to the Kentucky River, a former train round house, and a coal rinse station where soil and rock were removed from coal before it was crushed and graded for market. Along this area there are also your typical small town brownfields, dry cleaners, buildings with lead and asbestos, service stations, etc. While not reflective of the typical inner-city, industrial brownfields setting, our brownfields are widespread and feature mountain views and scenic streams. While beautiful, they have been touched by human beings, and therefore, we see the usual coal-related environmental impacts, such as water contamination and heavy metal issues.

#### 1.b. Welfare, Environment, and Public Health Impact

#### Welfare Impacts

The Mack Theater is located in downtown Irvine and has remained vacant since closing its doors in the mid-1990s. The presence of ACM and LBP in the Mack Theater and likely other abandoned buildings in the Irvine Historic Business District, and the proximity of off-site properties that might pose RECs to the Mack Theater, impacts an impoverished and under-served community. The abandoned buildings pose serious safety risks to the youth of Estill County and provide attractive places for nefarious activities, including crime and illicit drug use. With the Mack Theater as a focal point in Irvine and Estill County, rehabilitation and reuse of the building will see immediate welfare benefits, including a central place for community events at an accessible location in an area that continues to have a lack of accessible community services and transportation. The Mack Theater is an opportunity to return community services, such as recreation, entertainment, and a convenient community gathering place, back to Irvine and Estill County. From the downtown area, Irvine and Estill County residents currently travel almost 30 miles to Madison County for entertainment opportunities. The Mack Theater will also provide a haven for our youth in afterschool arts programs.

#### **Cumulative Environmental Issues**

As indicated above, 14 facilities that represent RECs to the Mack Theater are located within 0.5 mile. Environmental threats include possible soil and groundwater contamination of metals, petroleum and solvent organic compounds, LBP, and ACM, all of which are known to cause illnesses in vulnerable groups, especially children six and under and adults over 65 years of age. The Kentucky Cabinet for Economic Development (KDED) reports industries, including a clothing manufacturer, lumber and wood manufacturer, a power plant, and a limestone-crushing facility, as operating in Estill County. In addition, the EPA Envirofacts Warehouse lists dry cleaners, oil refineries, gas stations, mineral developments, coal refineries, recycling and disposal, automobile sales and service, asphalt repairers, among others, as operating in Irvine. These types of commercial and industrial facilities may release pollution into the environment via surface runoff, air emissions, permitted surface water discharges, and releases to soil and groundwater. It is not known to what extent releases from these operations have impacted the environment in Estill County. However, the distressed economy in the county may contribute to the lack of cleanup and remediation.

Using the EPA Environmental Justice (EJ) Screening Tool, Estill County ranks above 65% in 8 of the 11 environmental indicator categories for which data is available. These categories range from hazards or risks of exposure to particulate matter, ozone, air toxics cancer risk, respiratory hazard, and proximity to facilities with

hazardous waste and those requiring risk management plans for the presence of accidental chemical spills. These rankings for the EJ indicators are corroborated by the health assessment results discussed below.

#### Cumulative Public Health Impacts

Estill County residents may be impacted by ACM and LBP in the Mack Theater and from various types of contaminants from other commercial and industrial businesses within the county, as well as the coal industry in its prime. In 2007, the Kentucky Institute of Medicine published a health assessment that evaluated and ranked all counties within the state. Of the 120 counties in Kentucky, Estill County ranked 89<sup>th</sup>. Based on the study, the most prevalent and pressing health issues in Estill County are smoking, oral health, cardiovascular deaths, lung/bronchus cancer, and colorectal cancer. The study concluded that on a long-term basis, an effort to improve the health status can be expected to elevate the county's economic status. One of the key issues that affects the health of the county is the lack of access to primary care physicians. Estill County has a primary care physician to population ration of 0.7, as compared to 2.5 in Kentucky and 3.7 nationally. Redevelopment and reuse of blighted and vacant properties for beneficial use to the community will eventually spur a variety of businesses (restaurants, entertainment, office spaces, etc.) and improvements to the county, including its health status, within the state and nationally.

#### 1.c. Financial Need

#### 1.c.i. Economic Conditions

In the early 1970s, L&N Railroad was a large employer of men in Estill County. Also, South East Coal, a large coal washing facility that was located on the Kentucky River, employed about 280 men. By the late 1990s, coal industry jobs were gone. The coal washing facility shut down and the L&N railroad was sold to CSX, which began diverting the coal that was coming out of eastern Kentucky, including Estill County, through Ashland and Corbin. In addition, the 2005 to 2014 Tobacco Transition Payment Program (TTPP, otherwise known as the "Tobacco Buyout") also negatively impacted Estill County's economy. The sustainability of small, family-owned farms was linked to the yearly tobacco income. Those farmers tended to earn at home and spend at home.

Because Estill County is a very small community, with a population of only 14,733 people, federal and state assistance is needed. In addition to the rural nature of Estill County, other factors that affect RCP's ability to generate the funds needed to conduct the cleanup of the Mack Theater include a low high school graduation rate (59%) and an unemployment rate (6.2% for 2015, KDED) that is higher than the state and national rates. Other contributing factors include the shuttering of local businesses, especially in the coal industry; lack of accessible transportation; lack of community services; and lack of disposable income. These factors may seem unrelated; however, residents without a high school diploma will have a low paying or no job, thereby affecting their ability to provide for themselves, much less to contribute to the "Save the Mack" project.

Approximately 29.89% of residents in Estill County are between the ages of 45 and 64 years old and about 24.08% are younger than 20 years old. There is no public transportation available to the residents of Estill County that are unable to drive due to age-related health issues, poverty, or are not of legal driving age. This limits residents' ability to get to work if they find a job, shop, seek medical attention, and attend community events. Those who are able to drive often travel outside their local communities for employment. About 95.33% of the labor force in Estill County drives or carpools to work. Estill County has a higher percent of driving commuters than the typical county in Kentucky (Estill County 95.33%, KY 92.40%, US 86.00%). The table below presents the

estimated commute distances of Estill County residents in comparison to residents in other areas of Kentucky and on a national level.

Commute Time in Minutes One Way	Estill County	Kentucky	National
30 to 44	23.6%	17.7%	20.2%
Greater than 60	18.1%	5.4%	8.3%

#### 1.c.ii Economic Effects of Brownfields

The presence of brownfields in a community, especially one that is as small as Estill County, plays a vital role in the sustainability of the community. Blighted and vacant properties in Estill County have resulted in negative implications, such as crime, safety concerns, and lack of incentive for other businesses to remain in the area. This exodus eventually leads to a high unemployment rate, poverty, and vanishing tax base, to name a few. The effects of brownfields on the community also has translated to a 2% negative population growth in Estill County between 2010 and 2015. County residents who have stayed, travel to areas outside Estill for work, entertainment, and shopping, thereby taking their desperately needed tax dollars to other surrounding communities. Brownfield properties also hamper our efforts to bring people here for recreation and tourism purposes. Our area is the gateway to Daniel Boone National Forest. We could take better advantage of that fact if we could establish services and entertainment opportunities for guests and eliminate eyesores that may hamper their vision of our community.

#### 2. Project Description and Feasibility of Success

#### 2.a. Project Description

#### 2.a.i. Existing Conditions

Currently the Mack Theater property is used for storage and is uninhabited. Two sneak-a-peek fundraisers have been held in the Mack Theater lobby; however, current environmental conditions prevent any further utilization of the space especially since children would be one our primary audiences for reuse. Environmental cleanup and mitigation of LBP and ACM hazards are required prior to implementing the appropriate renovations. The 0.12-acre parcel, in which the building occupies the entire footprint, is located at the entrance into the Main Street corridor of downtown Irvine.

Phase I and II ESAs were conducted by a contractor for the EPA under the Targeted Brownfields Assessment (TBA) program in 2014. Based on the results of the Phase I, Phase II activities for the property included a hazardous materials survey, LBP survey, asbestos inspection, soil sampling beneath the concrete floor, and sampling of unknown containerized material. Results of the Phase II revealed that LBP and ACM exist in various areas within and on the exterior of the building. Specifically, approximately 300 ft<sup>2</sup> of friable ceiling plaster and non-friable window glazing associated with 5 windows were identified to contain ACM. Approximately 9,490 ft<sup>2</sup> of LBP was identified on the exterior and interior of the theater.

#### 2.a.ii. Proposed Cleanup Plan

Six alternatives were considered for cleanup based on protectiveness, effectiveness, long-term reliability, ability to implement, implementation risk, and reasonableness of cost. The analysis of brownfields cleanup alternatives (ABCA) is attached. Based on consideration of the six alternatives, the option to remove and dispose of the ACM

and to stabilize and encapsulate the LBP was chosen as the most ideal alternative. All removal, stabilization, and encapsulation activity plans will be approved by KDEP and EPA.

#### 2.a.iii. Alignment with Revitalization Goals

The redevelopment of the Mack Theater links to HUD-DOT-EPA Livability Principles on several levels. The Estill Development Alliance has identified targeted community redevelopment initiatives through the #EstillRising community strategic planning project. The initiatives will be undertaken to help reinvent our communities. This Estill County to-do list combines workforce betterment programs, recreational trail development, support for community arts, and technology adoption. The Mack Theater redevelopment, which is part of #EstillRising, will help support existing communities, coordinate and leverage federal policies and investments, and enhance economic competitiveness. This project will be reusing property in an area where land use has not always been beneficial to the environment or its people. Flat, useable greenspace is not in heavy supply in the coalfields of eastern Kentucky. This community wishes to preserve and enhance what is there. The theater redevelopment project will not only provide cultural identity for the community, but will also preserve the landscape that helps make us distinctive. We will also be reusing infrastructure that is already in place, which negates the need to install new services that the area can ill-afford. The project will be layered with other federal brownfield funding (assessment funding), as well as Community Development Block Grant (CDBG) funds to help bring life back into our town. Finally, it will help enhance economic competitiveness for the region as it is part of a larger effort to redevelop and recreate an economy based on the natural beauty and ingenuity of its human capital.

#### 2.b. Task Description and Budget Table

Estill Development Alliance is requesting a cleanup grant in the amount of \$200,000 and is not requesting a waiver for the \$40,000 cost match. The total estimated project cost is \$240,870. Estill Development Alliance has cash reserve on-hand to meet the \$40,000 cost share obligation. The Davis-Bacon Act requirements will be followed and all budget tasks under the contractual category will be performed by a qualified consultant procured using state and federal procurement guidelines.

<b>Budget Categories</b>		Project Tasks		
Programmatic Costs	Task 1 Project Management & Reporting	Task 2 Community Involvement & Engagement	Task 3 Planning, Cleanup & Reporting	Total
Personnel	\$21,150	\$13,050		\$34,200
Fringe Benefits	\$870	\$1,600		\$2,470
Travel	\$2,600			\$2,600
Supplies		\$1,100		\$1,100
Contractual			\$200,500	\$200,500
TOTALS	\$24,620	\$15,750	\$200,500	\$240,870
Cost Share	\$24,620	\$15,750	\$500	\$40,870

#### Task 1 – Project Management and Reporting

Estill Development Alliance will provide personnel (in-kind) to perform overall project management, contractor procurement and management (including request for proposals), and quarterly and annual minority business enterprise/woman business enterprise (MBE/WBE) reporting to EPA. Estill Development Alliance acknowledges

that costs are necessary to implement a grant and is committed to covering the cost for staff to manage all grant activities. Anticipated activities include preparing requests for proposal for bidding, review and award of proposals to qualified environmental consultants, oversight of all contractor and consultant involvement, and management of and participation in public meetings. It is estimated that the project director will incur a total of 200 hours at a \$70 hourly rate. The executive director is estimated to incur 110 hours at a \$65 hourly rate. Travel costs to attend meetings and conferences with KDEP and EPA, estimated at \$2,600, will also be incurred by Estill Development Alliance.

#### Task 2 – Community Involvement and Engagement

Several meetings will be held for public involvement throughout the project. Initially, a grant announcement meeting will be held for the City of Irvine and Estill County. Quarterly meetings will occur throughout the life of the grant. A meeting will be held upon completion of cleanup activities, which will be followed by a grant closeout meeting. It is estimated that the project director will incur a total of 75 hours at a \$70 hourly rate. The executive director is estimated to incur 120 hours at a \$65 hourly rate. Supplies needed for publication notices and meeting materials is estimated to be \$1,100. All feedback from meetings and other community engagement activities will be documented, considered, and processed as appropriate throughout the cleanup process.

#### Task 3 – Planning, Cleanup, and Reporting

#### Asbestos Abatement

Estill Development Alliance will procure a qualified contractor in accordance with 40 Code of Federal Regulation (CFR) 31.36 to properly abate and dispose identified ACM associated with the property. Oversight and air sampling will be conducted throughout removal activities, which will be followed by final clearance sampling to ensure remedial activities were conducted and completed appropriately. Reporting of removal activities will be provided in detail for KDEP and EPA review in accordance with Brownfields Program requirements. Estimated cost for asbestos abatement, oversight, and reporting is \$25,800.

#### Lead-Based Paint Stabilization and Encapsulation

Estill Development Alliance will procure a qualified contractor in accordance with 40 CFR 31.36 to conduct LBP stabilization and encapsulation activities. Specifically, this will involve removal and disposal of loose or peeling paint, application of a thick encapsulating material to prevent future peeling of paint left in place, and conducting wipe sampling to confirm the effectiveness of encapsulation. Final reporting will be prepared in accordance with EPA and KDEP Brownfields Program requirements. Estimated cost for LBP stabilization, encapsulation, oversight, and reporting is \$174,700.

The estimated overall cost for a contractor to provide cleanup and reporting is \$200,500.

#### 2.c. Ability to Leverage

Estill Development Alliance and the RCP began community engagement and fund raising in November 2013, with a Holiday Open House at the Bergman House (a local Bed and Breakfast), which brought in \$116 in donations, seeding the "Save the Mack" fund. Since that time, the RCP has sold t-shirts, hosted two derby day brunches, two picnic-in-the-park events, two hot dog lunch donation events, two sneak-a-peek fundraisers in the Mack Theater lobby, two letter writing campaigns, and solicited additional donations as opportunities arose. With funding from Appalachian Region Commission Flex E-Grant and Jackson Energy RoundUp Grants, the RCP hosted three children's theater camps tuition free culminating in public performances. Proceeds from these

performances also went to "Save the Mack." Estill Development Alliance and the RCP ultimately succeeded in raising funds to make the \$22,000 down payment to purchase the \$50,000 building in August 2016.

Funding that will be leveraged throughout the duration of this cleanup grant includes:

- In-kind labor necessary for Wayne Linscott and Joseph Crawford to manage the grant, oversee cleanup
  activities, travel to and attend conferences, and conduct community engagement activities. Estimated inkind labor leveraging is \$12,000.
- 2. Estill Development Alliance will contribute \$500 in cash for contractors.
- 3. The RCP, under Estill Development Alliance, was awarded a TBA grant by EPA in November 2014. Under this grant, an EPA contractor managed the grant for EPA and conducted Phase I and II ESAs, and prepared an ABCA. The total for the grant was \$44,374. Because of his support for the "Save the Mack" vision, Mr. Ralph McClanahan, the former property owner, granted access to EPA for Phase I and II ESA activities to be conducted on the theater property prior to its purchase. The award of this grant funding provided the RCP the information necessary to realize what they would be faced with overcoming from an environmental health perspective if they were to purchase the property. Because the Phase I ESA was outdated at the time of the purchase date, Jim Kirby with the KDEP Brownfields program prepared an updated Phase I ESA. As a result, the RCP are considered a bonafide prospective purchaser of the Mack Theater property.
- 4. The seller, Mr. Ralph McClanahan, not only lowered the purchase price from \$150,000 to \$50,000 in an effort to support the redevelopment, but also agreed to carry an interest free note for 10 years indicating he is on board for the "long haul," continuing to be very vocal in his pleasure that the old building will not only "be brought back to life, but made better."
- 5. Commitment donations have also been received to compliment this project. a) \$1,000 a month beginning in spring 2016 and ending spring 2017 committed by an anonymous donor and b) \$300 annually for five years beginning in 2016.
- 6. Attached to this proposal are numerous commitment letters expressing redevelopment operational support of all functions of the revitalized Mack Theatre space from various agencies, groups, and community members of all ages, including the Bluegrass Area Development District (BGADD), Estill County Judge Executive, Estill County Health Department, Estill Arts Council, Interfaith Wellness Ministry, Kiwanis Club, and Girls Empowerment and Mentoring Program.

Estill Development Alliance's contribution to this cleanup is estimated to be \$21,320. Discussions are underway with the BGADD regarding funding options following cleanup that would support the redevelopment of the property into a usable space. The Mack Theater Capital Campaign identifies goals for the theater to be operational within one year and fully restored within five years of environmental cleanup completion. Estill Development Alliance projects target revenue at \$100,000 annually once it becomes operational.

#### 3. Community Engagement and Partnerships

#### 3.a. Engaging the Community

Estill Development Alliance leads or contributes to development activities as varied as hosting candidate forums for local elections, assisting prospective entrepreneurs, enabling local teenagers to volunteer, providing best practices training for business owners, teaching up-and-coming community leaders how the community works, hosting a community homecoming event, improving trail resources and promoting them to the public, protecting and preserving local historic assets, and bringing the performing arts to people who would otherwise

have no access to them. Revitalization of the Mack Theater will provide a forum for all these incredible outreach missions.

The Estill County community has shown a strong commitment to the "Save the Mack" project. Support for this project ranges from residents both children and adults, the previous property owner, local arts and community organizations, county judges, KDEP, and more. The reason for the "Save the Mack" project is best said by a 9 year old student who participated in a recent play at the Mack Theater, "There is not a lot for kids to do around here. I would like if you could give us a grant. I would help a lot with the Mack Theater."

The Mack Theater will anchor the downtown corridor functioning as a welcome center, community center, and entertainment venue suitable for small events. The Estill Development Alliance would like to work with the media and communication schools of Eastern Kentucky University, Morehead University, and University of Kentucky, as well as the private colleges located within a 50-mile radius of Estill County, and seek independent and classic film festivals. Attracting increased numbers of visitors into the area will ripple into increased food, gas, and lodging revenue. The Estill Action Group (EAG), a second operating division of Estill Development Alliance, is working to earn Irvine/Ravenna/Estill County Kentucky Trail Town certification with focus on the Kentucky River Water Trail and the abundant natural beauty of the area. Outdoor Adventure and Nature will provide the day time activities millennials are seeking, while the Mack Theater will offer entertainment suitable to fill their evenings. To bring our vision to fruition, Estill Development Alliance started a grass roots campaign to energize the community for the "Save the Mack" project.

We have and will continue to engage our community through all phases of the project, from our initial fundraising campaign, to the grant application process, and plans for cleanup and redevelopment. Raising funds started with a donation of \$116 dollars that was generated by a local house tour during the Christmas season. Since that initial spark, the RCP has sponsored local events, including hot dog and bake sales, summer drama camps for local children, derby days, and picnics in the park to engage the community and raise funds for the project. As part of the grant application process, the Estill Development Alliance held a public meeting on December 1, 2016 to afford the community meaningful participation and to provide input on the project. A public notice was placed in the two local newspapers and advertisements on local radio stations were released for three weeks prior to the public meeting. The meeting attendees agreed that the redevelopment and reuse of the Mack Theater would be of great benefit to the community and the building should be made safe for the public (see attachments).

Support for addressing health and safety concerns has and will continue to be provided through partnerships with KDEP, the Estill County Health Department, and the Interfaith Wellness Ministries, Inc., through health and wellness education and risk communication. In addition, KDEP will assist with ensuring cleanup activities are conducted in accordance with applicable health and safety regulatory requirements by reviewing site cleanup health and safety plans. During the cleanup process, the community will be kept abreast of project activities and progress through postings on social media, including Facebook and #EstillRising on Twitter, the Estill Development Alliance website, fact sheets, the marquee at the Mack, and community meetings.

#### 3.b. Partnerships with Government Agencies

Since 2013, KDEP has worked hand in hand with the Estill Development Alliance on the "Save the Mack" project. The KDEP Brownfields Program has been instrumental in the progress of the project and has provided invaluable

support during the Phase I and II ESAs to ensure that the work conducted meets the requirements of the KDEP Brownfields Program, as well as the EPA Region 4 Brownfields Program. The KDEP Brownfields Program is an essential component to systematically address brownfields issues associated with the "Save the Mack" project. If awarded a cleanup grant, the Estill Development Alliance will continue to work with the KDEP Brownfields Program to obtain guidance with meeting all EPA-requirements during all phases of the cleanup. In addition to KDEP, the Estill County Alliance has the full support of the Estill County Judge Executive for this project, as it will provide a location for the talented and creative residents of Estill County to perform and create revenue for tourism growth. To help safeguard the health of our community, the Estill County Health Department has provided and will continue to support health education on ACM and LBP hazards. The letters of support from government agencies are provided in the attachments. Last but not least, the Estill Development Alliance is working with the BGADD to provide assistance from a more regional perspective. BGADD will provide a Public Administration Specialist to serve as a project coordinator to assist with economic development, collaboration with local and regional organizations, and identifying additional resources to support the cleanup and redevelopment of the Mack Theater.

#### 3.c. Partnerships with Community Organizations

To ensure the success of the "Save the Mack" project, the Estill Development Alliance and RCP have partnered with various community organizations, including the Estill Arts Council, Girls Empowerment and Mentoring Program, Interfaith Wellness Ministry, Inc., and Kiwanis Club of Irvine-Ravenna. These organizations have pledged their support and provide outlets to facilitate the success of the "Save the Mack" project. A list of the community organizations and their roles are provided below and the attachments contain letters of support from community organizations.

Community Organization Descriptions and Role			
Name of Organization	Description	Support Role	
Estill Arts Alliance	Cultural arts development and	Provide educational opportunities	
	education, promote economic	and support, promote area groups	
	development and tourism through	and artisans, arts exhibits,	
	the arts	performances, after school	
		programs, summer camps	
Girls Empowerment and	Mentoring and empowerment	Beautification of the exterior of the	
Mentoring Program of Estill	through education and	property including planting and	
County	community service	maintaining flower pots,	
		mentoring youth, volunteering	
		during performances, production	
		assistance, serving as ushers	
Interfaith Wellness Ministry, Inc.	Faith-based wellness program	Education conferences, fairs, and	
	focused on mind, body, and	workshops; volunteering and	
	spiritual health	collaboration of arts community	
		on health issues	
Kiwanis Club	Community service and education	Host and support community	
		events	

#### 3.d. Partnership with Workforce Development

During the cleanup process and redevelopment, the Estill Development Alliance will foster workforce development by hiring local vendors to provide equipment and materials as feasible. We will also work with the Kentucky Department for Workforce Investment Program to provide workforce investments assistance and onthe-job training, tax credits, and incentives for using minority-, woman-, and disabled veteran-owned businesses. After cleanup and redevelopment have been completed, the renovated Mack Theater will provide jobs to local residents, especially high school and college students. In addition, the redevelopment of the Mack Theater is expected to be a catalyst for redevelopment of other blighted properties and vacant buildings. Also, an increase in job opportunities will be created for existing and new businesses like restaurants.

#### 4. Project Benefits

#### 4.a. Welfare, Environment, and Public Health Benefits

The benefits of this cleanup grant are directly related to our Community Need. Portions of the exterior of the building containing LBP pose a health risk to the downtown community and to the residents next door and in the surrounding area. The ACM identified within the theater are preventing planned revitalization of the theater. Remediating the LBP and asbestos hazards associated with the Mack Theater will reduce the current health impacts, like cancer rates, our community faces and prevent potential health impacts, such as elevated blood lead levels in our children, which cause serious brain development issues. The remediation of this property may also help to assuage the drug use in our area that unfortunately has become so prevalent. Upon completion of the space, our community will have an alternative to the streets and a venue that can be enjoyed by community members of all ages with various skills and interests. Not only will the renovated theater serve as a historical education venue with the preservation of the 1939 projection room, it will host a cornucopia of events. Our use of the space includes theater, film, performing arts, community gathering, social celebrations, job fairs, workshops, seminars, and fund raising events. Opportunities for the space will continue to grow as we grow. It will become a community/welcome center that will nourish individual potential and ultimately strengthen our bond as the unique community we are.

#### 4.b. Economic and Community Benefits

Currently, the City of Irvine and Estill County are in danger of losing their identity. Contributing factors to our economic and community blight include the devastating impact of the downturn and elimination of the coal industry, which was the foundation of Estill County. With bids currently being requested for the removal of the railroad in our town, the spotlight is on the end of our era as a coal town. Revitalization of the Mack Theater is critical to reverse these negative impacts and serve as a place we can begin to restore our identity. Our population largely consists of young and elderly residents. The Mack Theater will act as a catalyst in providing opportunity for our young adults so they can have pride in remaining in Irvine and inserting their individuality into the community to strengthen and sustain this beautiful town. Revitalization of the Mack Theater is a key component of the overall redevelopment plan for the area. The theater will be directly involved in supplementing our to-do list, including providing workforce betterment programs, recreational trail development support, support for community arts, and technology adoption. The Mack Theater redevelopment, which is part of #EstillRising, will help support existing communities, coordinate and leverage federal policies and investments, and enhance economic competitiveness.

County residents are deeply engrained into a pattern of fleeing their community for entertainment, commercialism, and work opportunities. As a result, tax dollars are not being invested into the area causing

further blight. Renovation of the Mack Theater will help reverse this phenomenon providing an income source to the town as the venue creates reason to not only remain in the county for the things they used to seek elsewhere, but lure surrounding communities to escape the big city life and experience the refreshing charm of Estill County. Revitalizing the Mack Theater will reenergize the downtown corridor, stimulating additional redevelopment and ultimately safeguarding the area around us that is so important to the reinvention of Irvine. With Irvine's downtown corridor surrounded by floodplains and Daniel Boone National Forest, we must be successful at mixed land use and recycling. Increased employment and expanded tax base is the direct result. Hundreds of local and surrounding county artisans will have a venue to display and sell their merchandise. The venue will host tourists in the area experiencing the wonders of Daniel Boone National Forest. The restoration of the Mack Theater will spark additional renewal of vacant areas in the downtown corridor and surrounding area with retail and restaurants, not only creating jobs for the community, but again keeping our money in our community, as well as attracting surrounding communities to ours.

### 5. Programmatic Capability and Past Performance

#### **5.a. Audit Findings**

Estill Development Alliance has not received an adverse audit finding from the Office of Management and Budget (OMB) Circular A-133, an audit conducted by a federal, state, tribal, or local government inspector general or similar organization, or audits conducted by the U.S. Government Accountability Office. Estill Development Alliance has never been required to comply with special "high risk" terms and conditions under agency regulations implemented by OMB Circular A-102.

#### 5.b. Programmatic Capability

Mr. Wayne Linscott will be the project manager for this Brownfields Cleanup Grant. In addition to being a board member of the Estill Development Alliance, Mr. Linscott is the Chief Operating Officer of Health Help, Inc. and has been a part of this team since 2006. Mr. Linscott has been instrumental in securing numerous federal and private foundation grants for the organization; served as the initial site manager for a New Access Point; and independently directed the advancement of Health Help's internal training programs/protocol development. Mr. Linscott has demonstrated his commitment to the advancement of the Community Health Center movement, the maturation of Health Help, Inc., and the development of our local communities. In 2008, he received the Health Help, Inc. Community Service Award. A graduate of Leadership Madison County, Mr. Linscott helped to start a similar program in Estill County, Kentucky. Leadership LEAP (Lee, Estill, and Powell) has now expanded into a regional program, which also includes Jackson County. Mr. Linscott's academic credentials include a Master of Public Administration degree from Eastern Kentucky University and an undergraduate history/political science degree from Florida State University.

Mr. Joseph Crawford will be the executive officer for this grant. Mr. Crawford has served as the Executive Director for Estill Development Alliance for over 10 years. He is a native of Estill County and studied international economics at Eastern Kentucky University and diplomacy and international commerce for graduate school at the University of Kentucky. Mr. Crawford supports RCP mainly through administrative support. Most of Mr. Crawford's assistance comes "back stage." Since RCP is an all-volunteer organization, Mr. Crawford helps to connect the dots between what the organization's needs are and what resources are available to meet those needs.

Bob Casher, BGADD Public Administration Specialist, will serve as BGADD's project coordinator for the Mack Theater project. The purpose of BGADD is to foster regional strategies, solutions, and partnerships that improve the overall quality of life for the citizens of Kentucky. Mr. Casher has a Bachelor's of Arts degree in Government and Psychology from Centre College. Mr. Casher has administered multi-million dollar projects with multiple funding sources on several occasions. He is also familiar with renovation projects. He will bring the full resources of the Community Planning Department to support this project.

Mr. Linscott and Mr. Crawford will provide leadership to ensure the timely and successful expenditure of funds and completion of all technical, administrative, and financial requirements of the project and grant are met. They will also work with the selected consultant to ensure work plans and reports are prepared in accordance with KDEP and EPA regulations and submitted appropriately as progress is made.

Estill Development Alliance has several members that are available to assist with operations of the grant as appropriate and has grown substantially in engagement capacity and service provision since its inception in 1995. Since 2005, the organization has evolved from a stand-alone community development nonprofit into a dynamic, multi-faceted hub for the improvement of both our cities and our county. Estill Development Alliance operates with a central governing board and 4 active operating divisions, each with its own board that has representation on the nonprofit board. The budget for the organization as a whole has increased from less than \$30,000 in 2005 to over \$200,000 in fiscal year 2016-17. As the only community and economic development organization serving our community, Estill Development Alliance delves into many facets of improving the quality of life for all the people of Irvine, Ravenna, and Estill County. Estill County also relies on community volunteers to provide assistance. In the event additional personnel are needed, local newspaper postings and radio announcements will be used to solicit required assistance.

Additionally, grant management expertise will be provided by Mr. Casher and BGADD to ensure we appropriately acquire any additional expertise and resources required per grant requirements to successfully complete the project. BGADD has an all-encompassing experienced group of grant writers, grant managers, and administrators that have committed to assisting us if needed.

#### 5.c. Measuring Environmental Results; Anticipated Outputs/Outcomes

Our goal is to use this cleanup grant funding to remediate the asbestos and LBP environmental concerns associated with the property. Estill Development Alliance will report progress toward the attainment of expected project outputs and outcomes during the project performance period. Specifically, we will report outputs and outcomes quarterly to EPA and compare what was anticipated to the actuals. Information will be placed into the EPA Assessment, Cleanup, and Redevelopment Exchange System (ACRES). The anticipated output of this cleanup grant for Mack Theater will be to alleviate the environmental concerns regarding asbestos and LBP associated with the building. The asbestos will be properly removed and disposed in accordance with applicable regulations. The LBP will be stabilized and encapsulated to prevent exposure. A management plan will be prepared to address the areas within the building where LBP remains encapsulated to ensure appropriate measures are taken throughout the life of the theater to protect human health. Based on our EPA reporting, community meetings will be held throughout the cleanup process to update the community on the progress of the project and to gather and consider feedback. If a lack of progress is identified during the project, corrective action will be taken immediately to get the project realigned to the initially projected outputs and outcomes. As a result, the expected outcomes of this cleanup grant are abundant.

Proposed Outputs and Outcomes			
Task Area	Short- and Long-term Outcomes	Short- and Long-term Outputs	
Site Redevelopment	Sustainable site development	<ul> <li>4 public meetings on project progress</li> <li>4 fact sheets on project progress</li> <li>100+ community members involved in programs related to site redevelopment</li> <li>Grand opening of revitalized Mack Theater</li> </ul>	
Site Planning and Cleanup	Community and residents protected from human health hazardous contamination	<ul> <li>KDEP-approved Corrective Action Plan</li> <li>Removal and disposal of approximately 300 ft² of friable ceiling plaster and non-friable window glazing associated with 5 windows</li> <li>Stabilization and encapsulation of about 9,490 ft² of LBP on the exterior and interior of the theater.</li> <li>Approximately 5,075-square-foot building available for renovation and reuse</li> </ul>	
Community Outreach	Community engagement, continued brownfields redevelopment, and creating and strengthening partnerships	<ul> <li>4 public meetings on project progress</li> <li>4 fact sheets on project progress</li> <li>Estill County Alliance participation (quarterly)</li> </ul>	

The project will eliminate the exposure to asbestos and LBP associated with the building and subsequently the neighboring commercial and residential properties. Cleanup activities are expected to be fully completed under this grant and, therefore, renovation of the space can continue without environmental-related concern. It is expected that the renovations associated with revitalizing the theater will create jobs working on the theater itself, as well as spur the growth along the downtown Main Street corridor. As the theater nears opening its doors for its intended purposes for the community, developers desire to revitalize the vacant Main Street front properties into restaurants and other merchant activity, leading to more jobs and opportunities for Irvine and Estill County. After remediation occurs, the grant is closed and the property redeveloped we will work with KY DEP to document success, job creation and any leveraging activities.

#### 5.d. Past Performances and Accomplishments

Summaries of selected grants awarded and successfully managed by Mr. Linscott and Mr. Crawford collectively are provided below.

#### Two Health Center New Access Point Grants

The purpose of the Health Center Program New Access Point (NAP) funding opportunity is to improve
the health of the Nation's underserved communities and vulnerable populations by increasing access to
comprehensive, culturally competent, quality primary health care services. NAP funding provides

operational support for new primary health care service delivery sites (i.e., new access points). A new access point is a new service delivery site for the provision of comprehensive health care services.

- Federally funded in 2008, the \$650,000 grant was used to open a full-service clinic (medical, dental, pharmacy and behavioral health) in Irvine, Kentucky. Compliance with work plans, schedule and terms and conditions were met per grant requirements.
- Federally funded in 2010, the \$650,000 grant was used to open a full-service clinic (medical, dental, pharmacy and behavioral health) in Mt. Vernon, Kentucky. Compliance with work plans, schedule and terms and conditions were met per grant requirements.

#### Pharmacy Expansion Grant

- The overarching goal of the Pharmacy Expansion Grant Program is to improve leadership and clinical skills of pharmacists, as vital members of the healthcare team, accountable for safe and effective medication use.
  - Funded in 2009, the \$150,000 grant was used to expand pharmacy services in Richmond, Kentucky.
     Compliance with work plans, schedule and terms and conditions were met per grant requirements.

#### Four ARC Flex-E Grants

- Each grant was valued at \$10,000 and was aimed toward increasing the capacity of ARC-distressed counties. Compliance with work plans, schedule, and terms and conditions were met per grant requirements for each.
  - The first grant enabled a community-wide strategic planning process.
  - The second provided for the start-up of a leadership program for the county, which has now
    grown into a four-county regional leadership program and is one of the four operating divisions
    of Estill Development Alliance.
  - The third was an implementation of several of the ideas brought to light during the strategic planning process.
  - The fourth, implemented in 2016, was for a one-day educational conference for local people, and highlighting 5 of the most active civic groups in the county. This was followed up by strategy sessions for each of those groups, and one of the main goals for the RCP group is remediation of hazardous materials from the Mack Theater.

#### Transportation Enhancement Grant

 Federally funded in the amount of \$26,000, this grant awarded in 2006 provided for decorative street lights and a decorative clock to be placed along Main Street in downtown Irvine. Ten years later, the beautiful installations are still alive, and the clock has become a favorite landmark for local high school students to pose for their senior photos. Compliance with work plans, schedule and terms and conditions were met per grant requirements.

Cover Letter Attachments	

#### **Cleanup Other Factors Checklist**

Name of Applicant: Estill County 21st Century, Inc. dba Estill Development Alliance/River City Players

Please identify (with an *x*) which, if any of the below items apply to your community or your

project as described in your proposal. To be considered for an Other Factor, you must include the

page number where each applicable factor is discussed in your proposal. EPA will verify these

page number where each applicable factor is discussed in your proposal. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal or in any other attachments, it will not be considered during the selection process.

Other Factor	Pag	ge #
None of the Other Factors are applicable.		
Community population is 10,000 or less.	Х	1
Applicant is, or will assist, a federally recognized Indian tribe or United States		
territory.		
Target brownfield sites are impacted by mine-scarred land.		
Applicant demonstrates firm leveraging commitments for facilitating brownfield		
project completion by identifying amounts and contributors of funding in the	Х	8
proposal and have included documentation.		
Recent natural disaster(s) (2012 or later) occurred within community, causing		
significant community economic and environmental distress.		
Recent (2008 or later) significant economic disruption has occurred within		
community, resulting in a significant percentage loss of community jobs and tax	X	1 & 4
base.		
Applicant is one of the 24 recipients, or a core partner/implementation strategy		
party, of a "manufacturing community" designation provided by the Economic		
Development Administration (EDA) under the Investing in Manufacturing		
Communities Partnership (IMCP). To be considered, <b>applicants must clearly</b>		
demonstrate in the proposal the nexus between their IMCP designation and		
the Brownfield activities. Additionally, applicants must attach		
<b>documentation</b> which demonstrate either designation as one of the 24		
recipients, or relevant pages from a recipient's IMCP proposal which		
lists/describes the core partners and implementation strategy parties.		
Applicant is a recipient or a core partner of HUD-DOT-EPA Partnership for		
Sustainable Communities (PSC) grant funding or technical assistance that is		
directly tied to the proposed Brownfields project, and can demonstrate that		
funding from a PSC grant/technical assistance has or will benefit the project		
area. Examples of PSC grant or technical assistance include a HUD Regional		
Planning or Challenge grant, DOT Transportation Investment Generating		
Economic Recovery (TIGER), or EPA Smart Growth Implementation or		
Building Blocks Assistance, etc. To be considered, applicant must attach		
documentation.		
Applicant is a recipient of an EPA Brownfields Area-Wide Planning grant.		



#### **ENERGY AND ENVIRONMENT CABINET**

Matthew G. Bevin Governor

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF COMPLIANCE ASSISTANCE

300 SOWER BOULEVARD

FRANKFORT, KENTUCKY 40601

www.dep.ky.gov

Charles G. Snavely Secretary

November 22, 2016

Mr. Joe Crawford, Executive Director Estill County 21st Century, Inc. PO Box 421 Irvine, KY 40336

Re: Letter of Support for Brownfield Grant Application for Mack Theater (Agency Interest # 121751)

Dear Mr. Crawford:

The Kentucky Department for Environmental Protection (DEP) is supportive of, and committed to, the work of Estill County 21st Century, Inc. to revitalize the Mack Theater in Irvine. DEP is the state agency charged by the legislature with the responsibility of implementing the Kentucky equivalent of the federal Superfund program, and as such, is an essential component of any attempt to systematically address brownfields redevelopment. We support Estill County 21st Century's application for a Brownfield Cleanup Grant for the theater and look forward to continuing our work with the community on this important issue.

Sincerely,

Herbert Petitjean
Brownfield Coordinator

Horbort Potition

HCP:hp

ec: Paula White (River City Players, Grant Writer)

Amanda LeFevre (Brownfield Outreach Coordinator) Emily Ohde (Division of Compliance Assistance)

Jim Kirby (Division of Waste Management)

Richard Thomas (Division of Waste Management, Frankfort Regional Office)







699 Perimeter Drive Lexington, Kentucky 40517

> Contact ph: 859.269.8021 fax: 859.269.7917

Web www.bgadd.org

## Bluegrass Area Development District

December 15, 2016

Anderson

Boyle

To Whom It May Concern:

Bourbon

Clark

Estill

Fayette

Franklin

Garrard

Harrison

Jessamine

Lincoln

Madison

Mercer

Nicholas

Powell

Scott

Woodford

I am writing in support of the Save the Mack Project in Estill County. This project intends to purchase the Mack Theatre (constructed in 1939). If funded the project will remove lead based paint and asbestos from the

theatre. The project has already completed initial work via Phase I and II Environmental Site Assessments to determine the extent of these

environmental concerns associated with the building.

As such, the Bluegrass Area Development District and the Tourism, Historic Preservation and Advisory Committee fully support this project. The rejuvenation of this property will allow the theatre to become an entertainment venue for the local drama group (the River City Players) and allow for acting camps for youth and productions. In addition, the Mack Theatre will act as an anchor to revitalize Main Street Tourism in this small

Eastern Kentucky City.

Sincerely,

David Duttlinger

**Executive Director** 

Bluegrass Area Development District





Contact ph: 859.269.8021 fax: 859.269.7917

> Web www.bgadd.org

December 15, 2016

Anderson

RE: Estill County Alliance, "Save the Mack Project"

Boyle

To Whom It May Concern:

Bourbon

rbon

Clark

Please be advised that Bob Casher, Public Administration Specialist, will be the project coordinator for the BGADD on the Save the Mack Project. A brief registration of his gradentials is listed below.

Estill

recitation of his credentials is listed below.

Fayette

Graduate Centre College, BA in Government and Psychology

Attended University of Kentucky, Martin School for Public Administration

Franklin

Assistance City Manager, City of Paris 1978-1996 City Manager, City of Paris, 1996-2008

Garrard

Public Administration Specialist, BGADD 2009-present

Harrison

Jessamine

Mr. Casher has administered multi-million dollar projects with multiple

funding sources on several occasions. He is also familiar with renovation projects. Let me assure you that the project will have the full resources of

the Community Planning Department at its disposal.

Lincoln Madison

Please let me know if you require any additional information.

Mercer

Nicholas

Sincerely,

Powell

Scott

Shane New

Woodford

Director, Community Planning

Bluegrass Area Development District



Judge Wallace Taylor

Estill County Judge Executive

130 Main Street, Room 101 Irvine, KY 40336

> (606) 723-7524 Fax: (606) 723-5471 www.estillky.com

August 8, 2016

To Whom It May Concern:

The reason for my letter is to express my support for the River City Players application for funding to obtain and renovate an old theater on Main St. in Irvine, KY. Fondly known throughout our community as "The Mack", this building has set empty for a number of years.

The River City Players purposes to utilize "The Mack" as a site for student and adult theatrical productions and as a venue to hold community meetings and forums. As it is located at the Estill County/City of Irvine border at one of the busiest entryways into the city, renovating this site could also lead to a revitalization of our Main St. corridor.

Having a location for our talented and creative residents to perform will surely create a venue for tourism growth. Additional tourism growth could be gained via the use of the proposed meeting area. Estill County is centrally located and could provide an excellent meeting/training location for regional entities.

While I realize that you will be reviewing numerous applications during this funding cycle, I feel the application to revitalize "The Mack" warrants your utmost consideration.

Respectfully,

Wallace C. Taylor

Estill Co. Judge Executive





## P.O. BOX 115 / 365 RIVER DRIVE IRVINE, KY 40336

PHONE: 606-723-5181 FAX: 606-723-5254

December 19, 2016

To Whom It May Concern:

The Estill County Health Department fully supports the removal of lead-based paint and asbestos containing materials from "The Mack Theater". Both of those materials pose a great health risk to potential employees and patrons of The Mack.

Nearly all structures built before 1978 contain lead-based paint. Lead exposure can affect nearly every system in the body. Because lead exposure often occurs with no obvious symptoms, it frequently goes unrecognized.

Many older structures were also built with asbestos containing items such as vermiculite insulation, popcorn ceilings, siding and flooring. Breathing asbestos can cause tiny asbestos particles to become stuck inside the lungs, irritating the lung tissues. After exposure occurs, asbestos can't be removed from the lungs.

We feel that this project will be a great benefit to our community. We also want to ensure health and safety for all those who will frequent this facility.

Sincerely,

Courtney Barnes Health Educator

The mission of Estill County Health Department is to deliver quality services that enhance the health, safety, and wellbeing of all people in Estill County, Kentucky.



## PO Box 775 • Irvine KY 40336 estillartscouncil webs com

To Whom It May Concern;

I am writing to encourage and support the consideration of the River City Players application for an EPA Brownfields Cleanup Grant. Currently they are working with a firm that specializes in assessment and remediation of hazardous materials so the Mack Theater can be made usable again by the local community.

As the founding Chair of the Estill Arts Council in 2001, I have a vision of The Mack becoming a performing art center that would become home to all of Estill County's arts organizations. A place where movies can once again be shown, a stage for performances for children and adults productions, a gallery space for artists to display their work, a location for community meetings, workshop space, a place for children's drama and art camps. The possibilities are endless for the redevelopment of the Mack and what it could mean for the community of Irvine and Estill County.

I have two grandchildren who have participated in the River City Players summer Drama Camps and it has been the highlight of their summers. As our state dollars for arts education in our schools shrink it is of extreme importance that the organization like the River City Players and the Estill Arts Council pickup and supply the need for arts education in our community. A facility like the Mack Theater is critical and invaluable to the process of bringing the arts to our children and community.

Respectfully,

Mary Reed
Artist/Consultant



#### INTERFAITH WELLNESS MINISTRY, INC

A Kentucky Non-Profit Organization 67 River Drive P.O. Box 582 Irvine, Ky. 40336

Phone/Fax: (606) 723-8505

Email: <u>director@interfaithwellness.org</u> Website: <u>www.interfaithwellness.org</u>

Barbara Alfano EPA Region 4 Atlanta Federal Center 61 Forsythe St, SW - 10<sup>th</sup> Floor Atlanta, Georgia 30303-8960

To whom it may concern,

I am writing on behalf of the River City Players and the Mack Theater of Irvine, KY to support their Brownsfield Grant Application.

The River City Players is a community theater group founded in 2013 and a division of the Estill Development Alliance. They are working diligently to encourage cultural awareness through drama and artistic theatrical activities. They are also working to revitalize our community's economy through developing cultural tourism. They are now focused on renovating the vacant Mack Theater for their theater productions.

As the Director of the Interfaith Wellness Ministry here in Irvine, I support the renovation of the Mack Theater. Our health ministry is focused on promotion of body, mind and spirit health. I look forward to future collaboration with the River City Players in using the Mack Theater as a future site for Health Education Fairs, health conferences, or other health education activities. Working together with the arts community is another avenue to enhance the health of this rural community in Appalachia.

I strongly urge you to award this grant funding request. It will not only renovate a building but help to "renovate and inspire" the health of the citizens of the Irvine, KY community.

Thank you for considering this request.

Sincerely,

Sister Loretta Spotila, CSA, MSN, RN

Sister Loretta Apabila

Founder and Director



# P. O Box 231 Irvine, Kentucky 40336

December 1, 2016

Barbara Alfano EPA Region 4 Atlanta Federal Center 61 Forsyth Street, S.W. 10<sup>th</sup> FL Atlanta, GA 30303-8960

Dear Ms. Alfano,

The Kiwanis Club of Irvine-Ravenna is pleased to support Estill County 21<sup>st</sup> Century dba as River City Players in their efforts to cleanup and rehabilitate the Mack Theater building located on Main Street in Irvine, Kentucky. We look forward to the opening of this building, not only for its use as an entertainment venue, but as a central meeting location for our community.

As Kiwanians, one of our major events each year is our Radio/TV auction. The opening of the Mack Theater would give us a central location for providing this event to the citizens of Estill and the surrounding counties.

The Mack Theater is one of the first buildings one sees as you drive north across the bridge at the Kentucky River. The cleanup and revitalization of this landmark would be beneficial to our entire county. We Kiwanians are excited to see this project come to fruition as a positive step toward the revitalization of Irvine and Estill County.

Sincerely,

Tom Bonny, President

Kiwanis Club of Irvine-Ravenna

## GEM Society Empowerment and Mentoring Program of Estill County

December 19, 2016

TO: Susan Hawkins, River City Players/Mack Theater Project

FROM: Teresa Dawes/ Sponsor, Girls Empowerment and Mentoring Program

Dear Susan.

Our program is interested in opportunities that may be available to volunteer with the River City Players and the Mack Theater. Our program has experienced working with River City Players and the initiatives they have implemented and would be thrilled to continue to do so in a volunteer capacity.

Based on our previous discussions, our activities as a volunteer will be primarily beautification and production based activities. We are willing to begin volunteering Spring, 2017 and continue for as long as we mutually wish to maintain the relationship.

If you have any questions about our intent to volunteer service by our program, please do not hesitate to let me know. Teresa Dawes Sponsor, Girls Empowerment and Mentoring Program of Estill County at (606)723-2181 or teresa.dawes@estill.kyschools.us

We are looking forward to doing great things "TOGETHER".

Sincerely,

Tæresa Dawes

Director, Estill County Community Education

MLCOC-ARCHITECTUS MACRATICATES AND TAKENDOS	To whom it may consum
	10 Wholi I hay Colorin
	I would you like you
	to save the theater because
	we could watch Plays, shits,
	and movies. There is not alot
	for hids to do around here,
	I would like if you could
	laive us agrant. I would help
attical land de colonia	glot with the mach theater.
d communicación por un extra diferencia de la compresión de la compresión de la compresión de la compresión de	
	,
	Shelli Llae
Shelbi is 9	years old and lives and goes to school in Estill County, Kentucky. Recently, she played the part
or a mous	e in our musical, The Nutcracker.
NO.	

What
River City Players
and the
Mack Theater
means to me

I love my home town. Snuggled in the rolling hills, resting alongside the river. Beauty in nature is all around and impossible to avoid.

After watching a play at the Lexington Children's Theater, my daughter became interested in "being in a play". Our nearest option for a theater group or camp was many miles away and very expensive, so that idea had to be put off. Living in a small rural area there are often concessions that must be made. One year later, I heard RCP was going to hold their first children's camp. My son and daughter have been a part of this wonderful group ever since. The loving, enthusiastic volunteers of RCP have encouraged my children's ability to memorize script, speak clearly to an audience, and use teamwork to bring the best production to the community that they can. They accomplished this while having fun with friends and building new relationships with both the young and old.

After three RCP camps and involvement in six different productions RCP, feels like an extended family. We eagerly look forward to the future with RCP. Making the MACK usable again builds a renewed excitement for the many possibilities RCP can bring to our beautiful home.

Sincerely,

Michelle Harris

Michelle Harris

Resident of Estill County, Kentucky

To whom it may concern I am writing in regards to the Kiner City Hayers efforts to restore "The Mack" theater. This summer my daughter Shellei had the opportunity to your the RCP for a summer day camp. She loved it I The cheldren learned about theater, improve and how productions come together. But brest of all she imade a memory. Estill County doesn't have alot things to do when it comes to our Leds. This would be perfect. To have the Mack up and operational again would give the opportunity for the young and the going at heart to have "something to do" at "Domething to do" would provide art, learning, growing into something "great!" The next Oscar winner could be from our small town given the opportunity. would like to see the Mack as place to go watch a placy, attend worshop or go see a Sunday Matince, watch a monie through the week. loved going to the theater when il

was goinger. Although I wasn't from	
here it went a a theater alot similar	
to the Mack. It was a place where	
you met your friends, made new	
friends and laughood (and cried when	
a tear jerker was playing) until	
you could laugh and ory in more. The	
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dancing illuminating the movie title,	
the popcorn from the concessions	
reaching out into the street while	page of the second consequence
ubiting in line to get your tecket.	
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the Dame. Shoat immorrees were ignade	-
there. If the walls of the Mack	-
Could tack Im sure it would say:	
Sine me the opportunity to give	Marie Constant and American
the people of Estill County "Something	
to do" but most of all to make	was an Antonian w
more Memories.	W
Sincerely,	No of the State of
Resident of Estill County, Kentucky	
Lime harles	

627 Picnic Hill Rd Irvine, KY 40336

September 10, 2016

To Whom It May Concern:

The River City Players (RCP), a local group of volunteers, have taken possession of the Mack Theater in downtown Irvine. Our community feels that the renovation of The Mack will make a great addition to our small town and will provide opportunities for all age groups to participate in a community arts program.

The Mack Theater will play a vital role in this community, once finished possibly serving as a venue for meetings, theater camps and community workshops. The possibilities for the use of this building are endless.

The Mack Theater restoration project will also help continue the process of reviving the old Main Street beautification project and will add to the visual beauty of our small historic downtown. In addition we feel once The Mack is restored that it has the potential to attract other businesses and patrons to our area.

I highly support the RCP restoration plan of The Mack and look forward to seeing this local landmark restored to its former glory.

Sincerely.

Rhonda McMaine

enda McMaline

Resident of Estill County, Kentucky

December 20, 2016

To Whom It May Concern,

As founding chair for the River City Players (RCP), my support for the redevelopment of the Mack Theater building is unwavering.

RCP is an operating division of Estill County 21st Century, Inc. Since our conception and introduction to the community I have volunteered countless hours to our organization working on administrative tasks required to keep RCP stable, and growing. I have worked hundreds of hours that include, but are not limited to serving as Executive Producer for our productions, working with volunteers to create and host numerous fund raising events, during children's camps, and working in the Mack building removing debris and trash. I was fortunate in being re-elected to the RCP Board of Directors for a second three year term, beginning in August 2016. I was elected to serve as Board Chairman for a forth one year term, beginning September 2016. Also, I have made a financial commitment in the past, at present, and for the future.

We are a true "start up"; Estill County has never seen an organization like ours. We have seen "pride of home" rekindled as the community has attended events focused on "us", and watched their children grow in confidence and pose through performance art.

"The Mack" will anchor the redevelopment of our Main Street corridor, helping to attract new businesses to occupy the vacant buildings. Estill County is ideally situated to build a Tourism Industry. We must, and will, work to create jobs at home that will stop the out migration of our youth.

Thank you in advance for your consideration of Estill County 21<sup>st</sup> Century, Inc. application for US EPA Brownfields Cleanup Grant. In the beginning our campaign motto was "Save the Mack"; we have accomplished that goal. Now, our motto must be "Fix the Mack"!

Appreciatively,

Susan Hawkins

Susan Hawkins, Chair River City Players P.O. Box 421 Irvine, KY 40336

#### TO WHOM IT MAY CONCERN:

I became a member of the River City Players Organization in 2013 because I saw a need in our County

For family and community activities. Since that time I have volunteered hundreds of hours fundraising,

assisting with the children's camp and helping with our theatre productions. I have also made

a financial commitment in the past, present and for the future.

As a lifelong resident of Estill County, a retired business owner and now a River City Players Board

Member I offer my support for the Brownfield Cleanup Grant.

Please feel free to contact me if you have any questions concerning the River City Players Organization

And our efforts to redevelop the Mack Theater.

Sincerely,

Labley @ Noland Bobby C. Noland. To Whom It May Concein:

I have made a pledge to donate to the mack theater \$ 2500 permonthe, for a period of fine years. My total pledge is \$1,5000.

Sharon Snowden 718 Main 575EET Rauenna, KY 40472

## Documentation of All Applicable Threshold Criteria and Other Attachments

#### **Threshold Criteria**

#### 1. Applicant Eligibility:

- a. <u>Eligible Entity:</u> Estill County 21<sup>st</sup> Century, Inc. dba Estill Development Alliance/River City Players (Estill Development Alliance/RCP) is a non-profit corporation in good standing with the Commonwealth of Kentucky. Non-profit documentation is presented in the attachments.
- 2. <u>Site Ownership:</u> The property was purchased by Estill County 21<sup>st</sup> Century, Inc. dba Estill Development Alliance/RCP in August of 2016.

#### 3. Basic Site Information:

- a. Name of Site: The Mack Theater
- b. Address: 114 Main Street, Irvine, Kentucky 40336
- c. Current Owner of Site: Estill County 21st Century, Inc. dba Estill Development Alliance/RCP

#### 4. Status and History of Contamination at the Site:

- a. <u>Site Contaminants:</u> The Phase II environmental site assessment (ESA) conducted at the Mack Theater documented lead-based paint (LBP) and asbestos-containing materials (ACM) on the interior, as well as the exterior of the building.
- b. Operational History and Current Use: Per historical Sanborn maps, the Mack Theater was developed with a single structure by 1920 that operated as a livery, in 1923 as a steam laundry, in 1930 as a garage. From 1939 to 1993, the building was used as a movie theater. Currently, the Mack Theater property is used for storage and is uninhabited. The building footprint has not changed since it was developed. The building was erected with standard building materials used at the time of construction.
- c. <u>Environmental Concerns:</u> Environmental threats include possible soil and groundwater contamination of metals, petroleum and solvent organic compounds, LBP, and ACM, all of which are known to cause illnesses in vulnerable groups, especially children six and under and adults over 65 years of age.
- d. <u>Causes of Contamination and Nature and Extent:</u> The building was constructed with normal building materials at the time of construction. Asbestos and LBP were not known at the time to be hazardous substances. Approximately 300 square feet (ft²) of friable ceiling plaster and non-friable window glazing associated with 5 windows were identified to contain ACM. Approximately 9,490 ft² of LBP was identified on the exterior and interior of the theater.

#### 5. Brownfields Site Definition:

- a. The Mack Theater is not listed or proposed for listing on the National Priority List;
- **b.** Is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent, or judicial response, compensation, and liability act (CERCLA); and
- **c.** Not subject to the authority, custody, or control of the U.S. government.
- 6. Environmental Assessment Required for Cleanup Proposals: Final Phase I and II ESA reports (dated May 21, 2015), and the final ABCA (dated June 23, 2015) were prepared by a contractor for the EPA under the Targeted Brownfields Assessment (TBA) program. Because the Phase I ESA report was outdated at the time of the purchase date, Jim Kirby with the KDEP Brownfields program prepared an updated Phase I ESA report (dated August 17, 2016).
- 7. Enforcement or Other Actions: There are no past or current enforcement or other actions related to this property. Estill Development Alliance/RCP is not responsible for contamination at the Mack Theater because the building was constructed with normal building materials at the time of construction. Asbestos and LBP were not known at the time to be hazardous substances. Furthermore, there were no established Phase I ESA standards in 1920.

- **8.** <u>Sites Requiring a Property-Specific Determination:</u> A property-specific determination is not required for the Mack Theater.
- 9. Site Eligibility and Property Ownership Eligibility:
  - (a) Hazardous Substance Sites: The RCP, under Estill Development Alliance, was awarded a TBA grant by EPA in November 2014. Under this grant, an EPA contractor managed the grant for EPA and conducted Phase I and II ESAs, and prepared an ABCA. The award of this grant funding provided the RCP the information necessary to realize what they would be faced with overcoming from an environmental health perspective if they were to purchase the property. Because the Phase I ESA was outdated at the time of the purchase date, Jim Kirby with the KDEP Brownfields program prepared an updated Phase I ESA. As a result, the RCP are considered a bona fide perspective purchaser (BFPP) of the Mack Theater property.
    - (1) CERCLA § 107 Liability: Estill County 21st Century, Inc. dba Estill Development Alliance/RCP is not potentially liable for contamination at the Mack Theater because the building was constructed with normal building materials at the time of construction. Asbestos and LBP were not known at the time to be hazardous substances. Furthermore, there were no established Phase I ESA standards in 1920. Estill County 21st Century, Inc. dba Estill Development Alliance/RCP has not permitted people in the portions of the building containing hazardous materials since it became known that asbestos was in the building.

#### (2) Information on Liability and Defenses/Protections:

- a. Information on Property Acquisition:
  - i. How property was acquired: Property was purchased
  - ii. Date property was acquired: August 2016
  - iii. Nature of ownership: Purchased under land contract in August 2016
  - iv. Party from whom property was acquired: Mr. Ralph McClanahan
  - v. Relationships or affiliations with prior owners: None
- b. <u>Timing and/or Contribution toward Hazardous Substances Disposal:</u> No hazardous substances were disposed at this property.
- c. <u>Pre-Purchase Inquiry:</u>
  - i. The RCP, under Estill Development Alliance, was awarded a TBA grant by EPA in November 2014. Phase I and II ESAs were conducted in 2014 and 2015 (reports were finalized in May 2015), and an ABCA was prepared and finalized in June 2015. Because of his support for the "Save the Mack" vision, Mr. Ralph McClanahan, the former property owner, granted access to EPA for Phase I and II ESA activities to be conducted on the theater property prior to its purchase. Because the Phase I ESA was outdated at the time of the purchase date, Jim Kirby with the KDEP Brownfields program prepared an updated Phase I ESA, dated August 17, 2016.
  - ii. Under the TBA grant, an EPA contractor managed the grant for EPA.
  - iii. Because the Phase I ESA was outdated at the time of the purchase date (August 2016), Jim Kirby with the KDEP Brownfields program prepared an updated Phase I ESA, dated August 16, 2016.
- d. <u>Post-Acquisition Uses:</u> Currently, the Mack Theater property is used for storage and is uninhabited. Two sneak-a-peek fundraisers have been held in the Mack Theater lobby; however, current environmental conditions prevent any further utilization of the space, especially since children would be one our primary audiences for reuse.

- e. <u>Continuing Obligations:</u> The RCP have implemented steps to restrict access to the portions of the building where asbestos is present. The Estill County 21st Century, Inc. dba Estill Development Alliance/RCP commits to:
  - i. Complying with land-use restrictions and institutional controls;
  - ii. Assisting and cooperating with those performing cleanup and providing access to the property;
  - iii. Complying with information requests and administrative subpoenas that have or may be issued in connection with the property; and
  - iv. Providing legally required notices.

#### 10. Cleanup Authority and Oversight Structure:

- a. Cleanup Oversight: Estill Development Alliance/RCP will work with KDEP to ensure a suitable cleanup is completed. Estill Development Alliance/RCP will acquire the appropriate technical expertise to ensure that cleanup is consistent with competitive procurement provisions of 40 Code of Federal Regulations (CFR) Part 30. Estill Development Alliance/RCP will ensure technical expertise is in place prior to the beginning of cleanup activities.
- b. Access: Access to neighboring properties will not be necessary to carry out the anticipated response activities.

#### 11. Statutory Cost Share:

- a. How Cost Share will be Met: The \$40,000 cost share will be met in the following ways:
  - i. \$40,000 cash on hand for personnel, fringe benefits, travel, and supplies.
- b. Basics of Hardship Waiver: Not Applicable. Not requesting a hardship waiver.

#### 12. Community Notification: The following documents are contained as Attachments:

- Copy of the draft ABCA.
- Copy of the public announcements which ran for two weeks in the Citizen Voice and Times and The Estill Tribune, the county's two weekly newspapers dated November 24, 2016.
- A screen shot of the reminder on the RCP Facebook page.
- Summary of meeting notes from the public meeting held on December 1, 2016 in the lobby of the Mack Theater Building.
- Sign-in Sheet from public meeting.

INTERNAL REVENUE SERVICE P. O. BOX 2508 CINCINNATI, OH 45201

Date:

OCT 25 2000

ESTILL COUNTY-21ST CENTURY INC PO BOX 421 IRVINE, KY 40336 Employer Identification Number:
61-1300981
DLN:
17053274729010
Contact Person:
RICHARD COMBS ID# 31024
Contact Telephone Number:
(877) 829-5500
Our Letter Dated:
July 1996
Addendum Applies:
No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Letter 1050 (DO/CG)

#### ESTILL COUNTY-21ST CENTURY INC

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

Steven T. Miller

Steven T. Miller Director, Exempt Organizations

### **Analysis of Brownfields Cleanup Alternatives**

### Mack Theater 114 Main Street, Irvine, Kentucky

#### 1.0 INTRODUCTION AND BACKGROUND

#### 1.a Site Location

The Mack Theater TBA site (the site) is located at 114 Main Street in a commercial area of Irvine, Estill County, Kentucky. The site is the location of a former movie theater and includes an approximately 0.12-acre tract of land occupied by an approximately 5,075-square-foot building, which occupies the entire property. Geographic coordinates of the approximate entrance to the building are latitude 37.69958 degrees north and longitude 83.974792 degrees west. The surrounding area is developed with commercial and residential properties. The site is bordered to the north by the law office of Heather Combs, Classy Cuts Salon, and River Drive, with commercial properties beyond; to the east by Perry's Auto Supply, residences, and South Court Street, with commercial properties beyond; to the south by apartments, a railroad, and the Kentucky River; and to the west by Main Street, River View Place, LLC, the law office of Michael Dean, and Main Street Salon.

#### 1.b Previous Site Uses and Previous Cleanup/Remediation

According to historical Sanborn maps, the property was developed with a single structure by 1920 that operated as a livery. In 1923, the building was used as a steam laundry, and in 1930, the building was used as a garage. In 1939, the building was used as a movie theater. Based on a review of historical Sanborn maps, historical topographic maps, and historical aerial photographs, the building footprint has not changed since it was developed.

According to the website <a href="www.CinemaTreasures.org">www.CinemaTreasures.org</a>, the Estill Theater opened in 1942 and was later renamed Mack Theater. The theater closed in 1993 and has been used as a storage facility for the current owner since that time.

The site was previously owned by Mr. Ralph McClanahan. The River City Players, an operating division of Estill County 21<sup>st</sup> Century Inc. DBA Estill Development Alliance, purchased the site for redevelopment as a community center on August 18, 2016.

Cleanup or remedial activities have not been conducted at the site.

#### 1.c. Site Assessment Findings

In 2014, the U.S. Environmental Protection Agency (EPA) conducted a Targeted Brownfield Assessment (TBA) at the property, consisting of Phase I and II ESAs.

#### 1.c.i Phase I Activities

In November 2014, EPA conducted an initial site visit at the property and identified recognized environmental conditions (REC), visually inspected the on-site buildings and structures for possible asbestos-containing materials (ACM), and identified other environmental hazards on the property. These activities fulfilled the site visit requirements of a Phase I ESA and provided the basis for a Phase II sampling strategy. For more details, see *Phase I Environmental Site Assessment Report: Mack Theater TBA*, May 2015.



The following potential RECs were identified during the Phase I ESA:

- According to historical Sanborn maps, the building was used as a garage in 1930 and contained coal and gas stoves.
- Fluorescent light fixtures were observed inside the downstairs lobbies of the former movie theater. Wall sconces circa 1939 are located in the movie theater area.
- The site was identified on the BROWNFIELDS database. The site is listed as vacant with suspected asbestos and lead-based paint (LBP) contamination.
- A review of federal and state database information identified 31 facilities within the American Society for Testing and Materials (ASTM)-recommended search distances from the site. Fourteen of these facilities, such as dry cleaners, historical gas stations, and underground storage tank (UST) sites, present RECs to the site based on their proximity and elevation to the site, presumed groundwater flow to the southwest, and potential releases from historical operations.
- An area of black staining was observed immediately adjacent to the eastern portion of the building. This area contained auto parts and signs of previous burning.

#### 1.c.ii Phase II Activities

Based on the results of the Phase I, EPA concluded that a Phase II ESA was appropriate to assess the RECs identified and to assess the presence and nature of contamination, if any, on site. During the week of December 22, 2014, EPA conducted the Phase II ESA that included subsurface soil, pit waste, and suspected ACM sampling, and screening for LBP. For full details of the sampling event, see *Phase II Environmental Site Assessment Report: Mack Theater TBA*, dated May 2015. The results of the Phase II ESA investigation suggest RECs currently exist at the site that warrant consideration in planning future uses of the property. The following issues should be considered:

- Arsenic and chromium were detected in subsurface soil at concentrations above their respective EPA RSLs for residential and industrial soil. However, these concentrations fall within the ambient background ranges for arsenic and chromium.
- Suspected ACM samples were collected from 11 homogeneous areas (HAs), which are areas of similar types of material. One suspected ACM sample from HA3 (friable ceiling plaster in projector room and transformer room) and one suspected ACM sample from HA7 (non-friable window glazing) contained asbestos at greater than 1 percent.
- Based on the screening results and observed peeling and cracking of paint in areas within and on the exterior of the theater building, LBP was suspected to be present. The screening results revealed 12 locations with lead content greater than the EPA standard of 1.0 milligrams of lead per square centimeter of substrate as found in document 747-K-00-001, *Testing Your Home for Lead in Paint, Dust, and Soil.*

#### 1.d Project Goals

Once remediated, the Estill County 21st Century, Inc. will develop the property as a community center. The center will be used as a location to promote economic development, create jobs, supplement community events such as theater, concerts, meetings, fairs, and other activities that increase use of the downtown, encourage tourism, support local groups, and provide an opportunity for community building



and for citizens to become reacquainted with the historic significance of the property to the town of Irvine.

#### 2.0 APPLICABLE REGULATIONS AND CLEANUP STANDARDS

#### 2.a Cleanup Oversight and Cleanup Standards

Cleanup activities will be overseen by a Senior Environmental Professional that is a licensed asbestos and LBP inspector and remedial supervisor. The EPA Brownfields Program and the Kentucky Department for Environmental Protection (KDEP) Brownfields Program will also oversee cleanup activities.

#### 2.b Cleanup Standards for Major Contaminants

Upon completion of removal of friable ceiling plaster and non-friable window glazing, clearance air sampling will be performed in accordance 401 Kentucky Administrative Regulation (KAR) 58:025, which adopts by reference the federal national emission standards for hazardous air pollutants (NESHAP) regulation 40 Code of Federal Regulation (CFR) 61, Subpart M.

Upon completion of LPB encapsulation, clearance of the area will be determined by visual assessment and wipe sampling protocols in accordance with EPA regulations and standards at 40 CFR 745.227(e) that apply to clearance whenever abatement of lead-based paint hazards is conducted, which includes abatement via encapsulation.

#### 2.c Laws and Regulations Applicable to Cleanup

ACM removal and disposal activities, as well as associated clearance sampling will be conducted in accordance with 401 KAR 58:025, which adopts by reference the federal NESHAP regulation 40 CFR 61, Subpart M.

LBP encapsulation, visual assessment, and clearance wipe sampling will be conducted in accordance with the EPA regulations and standards at 40 CFR 745.227(e) that apply to clearance whenever abatement of LBP hazards is conducted, which includes abatement via encapsulation.

#### 3.0 EVALUATION OF CLEANUP ALTERNATIVES

#### 3.a Cleanup Alternatives Considered

ACM and LBP identified during the Phase II ESA at the site is as expected with buildings constructed prior to 1978. Based on the Phase II ESA, approximately 300 square feet (ft²) of friable ceiling plaster and non-friable window glazing associated with 5 windows were identified to contain ACM. Approximately 9,490 ft² of LBP was identified on the exterior and interior of the theater.

To address contamination at the site, three different alternatives were considered, including Alternative 1 – No action, Alternative 2 – removal of ACM and LBP contamination, and Alternative 3 – Removal of ACM and encapsulation of LBP.

#### **3.b Cost Estimate for Cleanup Alternatives**

To satisfy EPA requirements, the effectiveness, implementability, and cost for each alternative were evaluated.



#### **Effectiveness**

- Alternative 1: No Action is not effective in controlling or preventing workers and the community from being exposed to contamination from renovation activities at the site.
- Alternative 2: Removal of ACM and LBP are the quickest and most effective way to prevent the community from coming into direct contact with contamination at the property. Clearance sampling will be conducted upon completion of removal activities to ensure compliance with applicable state and federal regulations. This alternative also includes the disposal of ACM and LBP after removal.
- Alternative 3: ACM can be removed and disposed of, while LBP can be encapsulated to prevent human health exposure. Again, removal and disposal of ACM are the quickest and most effective ways to prevent the community from coming into direct contact with ACM contamination at the property. Encapsulation of LBP is very effective in that after any loose or peeling paint is removed, a thick encapsulating material is applied to prevent future peeling of the paint left in place; therefore, also preventing human health exposure.

#### **Implementability**

- Alternative 1: No action is easy to implement because no actions will be taken.
- Alternative 2: Removal and subsequent disposal of ACM and LBP are relatively easy to implement. Upon completion of removal activities, clearance samples will be collected to determine the effectiveness of the remediation. Final reporting will be prepared in accordance with EPA and KDEP (Brownfields Program) requirements.
- Alternative 3: ACM removal and disposal along with LBP encapsulation are also relatively easy to implement. Upon completion of ACM removal activities, clearance samples will be collected to determine the effectiveness of the remediation. Wipe testing will be performed on LBP encapsulated areas to confirm the effectiveness of encapsulation. Final reporting will be prepared in accordance with EPA and KDEP (Brownfields Program) requirements.

#### Cost

- No costs are associated with Alternative 1.
- The estimate cleanup cost for Alternative 2 is about \$326,700. This cost includes removal and disposal of ACM and LBP.
- The estimate costs for Alternative 3 is about \$200,500. This cost includes removal and disposal of ACM and encapsulation of LBP and associated removal and disposal of peeling or loose LBP, as well as reporting to KDEP and USEPA.

#### 3.c Recommended Cleanup Alternative.

Removal and disposal of ACM and encapsulation of the LBP is quick, relatively easy to implement, and the most effective means of addressing ACM and LBP at the site. These measures are also protective of human health and the environment. This alternative also provides the most cost-efficient means to turn a currently abandoned property into a much needed community center and source of revenue for the City of Irvine.

#### 4.0 POTENTIAL CLIMATE CHANGE CONDITIONS

The remedial alternatives discussed above were evaluated for the site in light of reasonably foreseeable changing climate conditions, including rising sea levels, increased frequency and intensity of flooding, and extreme weather events. Sources of information used to conduct this evaluation include:

• Scenarios for Climate Assessment and Adaptation, which was accessed on-line at: http://scenarios.globalchange.gov/content/scenarios



• Climate Explorer, which was accessed on-line at: <a href="http://toolkit.climate.gov/climate-explorer/">http://toolkit.climate.gov/climate-explorer/</a>?tp=g\_a&center=-9355279.1,4519567.9&zoom=4&p=L&layers=aag:1

The site is located in the downtown area of Irvine, in eastern Kentucky. The site is relatively flat and slopes gently to the southern property boundary. The site is located north of the Kentucky River, and is not within the 100-year flood plain. Other factors associated with climate change, including increases and decreases in temperature, potential for wildfires, and extreme weather events like hurricanes, are not expected to adversely affect the cleanup alternatives discussed above.

#### 5.0 VAPOR INTRUSION SCREENING

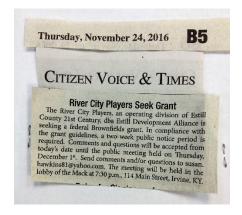
As part of the Phase I ESA, an Environmental Data Resources, Inc. (EDR) vapor encroachment screening (VEC) report was ordered and reviewed. Information in the EDR VEC report was evaluated, and it was concluded that six facilities with chemicals of concern were identified as being within the minimum search distances for Tier 1 VEC. For further details on the VEC, see the *Phase I Environmental Site Assessment Report: Mack Theater*, dated May 2015. In addition, during the Phase II ESA, Tetra Tech collected soil samples beneath the building at the site. Groundwater samples could not be collected as the building footprint is the property boundary and physical restrictions for drilling equipment access into the building. Soil samples were analyzed for volatile organic compounds (VOCs) and semivolatile organic compounds (SVOCs). No VOCs or SVOCs were detected in the subsurface soil samples.



#### **PUBLIC NOTICE**

The River City Players, an operating division of Estill County 21st Century, dba Estill Development Alliance is seeking a federal Brownfields grant. In compliance with the grant guidelines a 2-week public notice period is required. Comments and questions will be accepted from today's date until the public meeting held on Thursday, December 1<sup>st</sup>. Send comments and/or questions to <a href="mailto:susan.hawkins81@yahoo.com">susan.hawkins81@yahoo.com</a>. The meeting will be held in the lobby of the Mack at 7:30 p.m., 114 Main Street, Irvine, KY.

Published in the Citizen Voice and Times and The Estill Tribune beginning the week of November 13, 2016





From: Susan Hawkins

<susan.hawkins81@yahoo.com>

**To:** Estilltribune News <a href="mailto:news@estilltribune.com">news@estilltribune.com</a>>

Sent: Monday, December 5, 2016 1:52 PM

Subject: Mack grant

Please add this to the community calendar for two weeks: The River City Players, an operating division of Estill County 21st Century, dba Estill Development Alliance is seeking a federal Brownfields grant. In compliance with the grant guidelines an Analysis of Brownfields Cleanup Alternatives draft and the grant application narrative draft are available for inspection in the office of the Estill Development Alliance at 177 Broadway, Irvine, KY 40336. Send comments and questions to susan.hawkins81@yahoo.com

Thank You!!!

# Sign-In Sheet December 1, 2016 EPA Brownfields Cleanup Grant Community Notification Meeting Mack Theater 114 Main Street Irvine, KY 40336

Please include your address, email, and phone number

- 1. Eably C 4 Toland, P.O. Box 364- Lucie, Ky. 723-2254 2. Sus AN HAWKINS, Susan Hawkin, 1075 Reger Rd Jurie 40836 SUSANIHAWKINS Bley Mus. Com 3. David Harrison Dand Herrison 496 Sandhill Rd Irvinell davidgharrison@hotmail.com 726-0502 4. Yvanne Harrison Wome Hams - 496 Sandhell Rd Ivvine 4 5. Tory White 201 Vanhool Ct Bera Powhite 510 gmail com
  6. Paula White 201 Vanhool Ct Bera Powhite 510 gmail com 459-986-3265 7. Sharon Snowden Sharon Snowden 606-643-5126 218 Main St., Ravenna, KY 40472 make up lady 48 ChoTMAi) 8. Amy Hughes 606-723-4502 529 CantrillSt. Irvine, KY 40336 and and 44 Shotmail.com 9. Ed Hughes 606-723-4502 529 Countrill St. Irvine, KY 40336 Selyahd Capalancom 10. JOANN SMITH POBOX 171 WARD KY 40385 ekatte invineonline. Net 606-723-3528
- 11. Delegas L. Rewland 6135 Winchester Rd.
- 12. Myra Finney 304 Main St. Irvine Ky 606-723-4238

#### Summary of the EDA Brownfields Grant Community Notification Meeting

December 1, 2016

The meeting was called to order at 7:30 pm.

A public notice was published weekly in the two local papers, Estill Tribune and CV&T, beginning the week of November 13<sup>th</sup> through November 27<sup>th</sup>. No questions or comments were received prior to the meeting.

Copies of the ABCA draft, and a rough draft of the grant narrative were available for attendees to review.

The ABCA draft was reviewed and the three alternatives offered to address the hazardous materials in the building were discussed. Alternative 3 to remove and dispose of the asbestos, remove any loose or peeling lead based paint and dispose of it, then encapsulate the paint left in place to prevent possible human health exposure is the alternative most cost effective.

Discussion was held concerning why hazardous materials were found in the building. All the attendees were aware the materials found in the building were common building materials used when the Mack was built and routine maintenance was completed.

All attendees agree that redevelopment and reuse of the Mack would be of great benefit to the community, and the building should be made safe for public use.

Announced the ABCA draft and the narrative draft would be available for inspection at Estill Development Alliance, 177 Broadway, Irvine, KY 40336.

Meeting was adjourned at 8:10 pm.

OMB Number: 4040-0004 Expiration Date: 10/31/2019

Application for Federal Assistance SF-424							
* 1. Type of Submission:	* 2. Type of Application:  * If Revision, select appropriate letter(s):						
Preapplication	New						
Application	Continuation * Other (Specify):						
Changed/Corrected Applicat	ion Revision						
* 3. Date Received:  4. Applicant Identifier:							
12/22/2016							
5a. Federal Entity Identifier:	5b. Federal Award Identifier:						
State Use Only:	·						
6. Date Received by State:	7. State Application Identifier:						
8. APPLICANT INFORMATION:							
* a. Legal Name: Estill Coun	ty 21st Century, Inc						
* b. Employer/Taxpayer Identification	n Number (EIN/TIN): * c. Organizational DUNS:						
61-1300981	9635641790000						
d. Address:	·						
* Street1: PO Box 42							
Street2: 177 Broad	way St						
* City: Irvine							
County/Parish: Estill							
* State:	KY: Kentucky						
Province:							
* Country:	USA: UNITED STATES						
* Zip / Postal Code: 40336-042							
e. Organizational Unit:							
Department Name:	Division Name:						
f. Name and contact information	of person to be contacted on matters involving this application:						
Prefix:	* First Name: Joseph						
Middle Name:							
* Last Name: Crawford							
Suffix:							
Title: Executive Director							
Organizational Affiliation:							
* Telephone Number: 606-723-2450 Fax Number:							
* Email: crawford@irvineon	ine.net						

Application for Federal Assistance SF-424					
* 9. Type of Applicant 1: Select Applicant Type:					
M: Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education)					
Type of Applicant 2: Select Applicant Type:					
Type of Applicant 3: Select Applicant Type:					
* Other (specify):					
* 10. Name of Federal Agency:					
Environmental Protection Agency					
11. Catalog of Federal Domestic Assistance Number:					
66.818					
CFDA Title:					
Brownfields Assessment and Cleanup Cooperative Agreements					
* 12. Funding Opportunity Number:					
EPA-OLEM-OBLR-16-09					
* Title:					
FY17 Guidelines for Brownfields Cleanup Grants					
13. Competition Identification Number:					
NONE					
Title:					
None					
14. Areas Affected by Project (Cities, Counties, States, etc.):					
Add Attachment Delete Attachment View Attachment					
* 15. Descriptive Title of Applicant's Project:					
Application for US EPA Brownfields Cleanup Grant for the Mack Theater Building Site					
Attach supporting documents as specified in agency instructions.					
Add Attachments Delete Attachments View Attachments					

Application for Federal Assistance SF-424								
16. Congressional	Districts Of:							
* a. Applicant	XY-006			* b. Program/Project	KY-006			
Attach an additional	list of Program/Project Co	ngressional District	ts if needed.	_				
			Add Attachment	Delete Attachment	View Attachment			
17. Proposed Project:								
* a. Start Date: 10/01/2017								
18. Estimated Funding (\$):								
* a. Federal		200,000.00						
* b. Applicant		0.00						
* c. State		0.00						
* d. Local		0.00						
* e. Other		0.00						
* f. Program Income		0.00						
* g. TOTAL		200,000.00						
* 19. Is Application	n Subject to Review By	State Under Exec	cutive Order 12372 P	rocess?				
				er 12372 Process for rev	iew on			
	subject to E.O. 12372 bu		elected by the State f	or review.				
c. Program is i	not covered by E.O. 123	<i>7</i> 2.						
* 20. Is the Applica	ant Delinquent On Any I	* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)						
☐ Yes No								
			res, provide expi	anation in attachment.)				
	No xplanation and attach				Vious Attachmant			
If "Yes", provide e	xplanation and attach		Add Attachment	Delete Attachment	View Attachment			
If "Yes", provide e  21. *By signing th herein are true, c comply with any r	explanation and attach  is application, I certify omplete and accurate	(1) to the statement of the best of mot an award. I am	Add Attachment  ents contained in the syknowledge. I also aware that any false	Delete Attachment  le list of certifications** o provide the required of, fictitious, or fraudulen	view Attachment  and (2) that the statements assurances** and agree to t statements or claims may			
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